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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
6

7 STEVEN M. HOMICK,)

8 Petitioner,)

3:99-cv-0299-PMP-WGC

9 vs.)

ORDER

10 RENEE BAKER, *et al.*,)

11 Respondents.)
12 _____/

13 This capital habeas corpus action was stayed in an order entered July 10, 2008 (docket #268),
14 pending exhaustion of claims in state court by the petitioner, Steven M. Homick.

15 On October 27, 2011, Homick filed a motion to lift the stay (docket #276). In that motion,
16 Homick states that the state-court proceedings have concluded. Respondents responded to that
17 motion, stating that they do not oppose the lifting of the stay of this action (docket #277). The court
18 will, therefore, grant Homick's motion to lift the stay of this action, and will set a status conference
19 to hear from counsel with respect to a schedule for anticipated further proceedings.

20 The court is informed that Renee Baker is now the warden of Ely State Prison, the prison
21 where Homick is incarcerated. Therefore, pursuant to Federal Rule of Civil Procedure 25(d),
22 Renee Baker is substituted for her predecessor, E.K. McDaniel, as the respondent warden.

23 **IT IS THEREFORE ORDERED** that petitioner's Motion to Vacate Stay and Reopen
24 Capital Habeas Corpus Proceeding (docket #276) is **GRANTED**. The stay of this action is lifted.

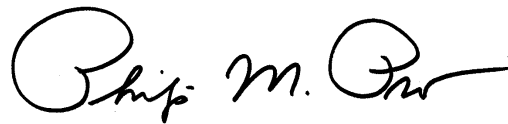
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1 **IT IS FURTHER ORDERED** that a telephonic status conference is set for **Wednesday,**
2 **November 30, 2011, at 10:00 a.m.,** to hear from counsel with respect to a schedule for further
3 proceedings in this action. No later than Monday, November 28, 2011, counsel shall contact
4 Donna Sherwood, at 702-464-5426, to make arrangements for their appearances at the telephonic
5 status conference.

6 **IT IS FURTHER ORDERED** that the Clerk of the Court shall substitute Renee Baker for
7 E.K. McDaniel, on the docket, as the respondent warden, and shall update the caption of the action
8 to reflect that change.

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10 DATED: November 15, 2011.

A handwritten signature in black ink, appearing to read "Philip M. Pro", written over a horizontal line.

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13 PHILIP M. PRO
United States District Judge
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